

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

24
6/18/01
FILED
HARRISBURG
JUN 15 2001

JOHN RICHARD JAE,

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MARY E. D'ANDREA, CL
Per JAE DEPUTY CLERK

Plaintiff

No. 1: CV-00-2123

v.

:
:
:
:

(Judge Rambo)

**SUPERINTENDENT DRAGOVICH,
et al.**

(Magistrate Judge Smyser)

**DEFENDANTS' MOTION FOR ENLARGEMENT
OF TIME TO FILE REPLY BRIEF**

Defendants respectfully request an enlargement of time to file a reply brief.

In support of this motion, defendants assert the following:

1. The complaint in this case along with a request for waiver of service form was filed on December 7, 2000.
2. On February 1, 2001, plaintiff filed an amended complaint.
3. Defendants moved to dismiss the action on March 6, 2001, and filed a brief in support thereof on March 6, 2001, and filed a brief in support thereof on March 20, 2001.
4. After obtaining an enlargement of time, plaintiff filed a brief in opposition to the motion on May 29, 2001, according to the postmark on the envelope. The copy sent to defendants contained no certificate of service.

5. Pursuant to Local Rule 7.7, defendants' reply brief is due on June 15, 2001.

6. Due to conflicts in defendant counsel's schedule he has been unable to complete the reply brief and asks for one week enlargement of time until June 22, 2001.

WHEREFORE, defendants respectfully request an enlargement of time of one week or until June 22, 2001, to file their reply brief.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

BY: 
MICHAEL L. HARVEY
Senior Deputy Attorney General

SUSAN J. FORNEY
Chief Deputy Attorney General
Litigation Section

Office of Attorney General
15th Fl., Strawberry Square
Harrisburg, PA 17120
Direct: (717) 787-7369
Date: June 15, 2001

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CERTIFICATE OF SERVICE

AND NOW, this 15th day of June, 2001, I, MICHAEL L. HARVEY, Senior Deputy Attorney General, counsel for defendants in the above-captioned action, hereby certify that I this day served the foregoing Defendant's Motion for Enlargement of Time to File Reply Brief by causing a copy of the same to be deposited in the United States mail, postage prepaid, at Harrisburg, Pennsylvania, addressed to the following:

John Richard Jae, BQ-3219
SCI-Greene
175 Progress Drive
Waynesburg, PA 15370-2902



MICHAEL L. HARVEY
Senior Deputy Attorney General

DATE: June 15, 2001